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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|---------------------------------|--|------------------|
| 10/677,309 | 10/03/2003 | Tetsuo Suzuki | 243579US0X | 9488 |
| 22850 7590 03/12/2007 OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | EXAMINER ARANCIBIA, MAUREEN GRAMAGLIA | |
| | | | ART UNIT 1763 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS | | NOTIFICATION DATE 03/12/2007 | DELIVERY MODE ELECTRONIC | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/12/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/677,309

Applicant(s)

SUZUKI ET AL.

Examiner

Maureen G. Arancibia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 December 2006 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Specifically, the recitation in the claims of a "heating/removal process" has been interpreted as being a heating **and** removal process, since independent Claim 1 requires that the "heating/removal process" comprise both a heating step and a removal step. Therefore, Claim 15 has been interpreted to require that **both** the heating step **and** the removal step of the "heating/removal process" are carried out "in air." In the context of the removal step, the recitation that this step is carried out "in air" has been interpreted to mean that the wafer is exposed to air during the removal process. This interpretation appears to be consistent with the case where the removal process is a

mechanical (polishing) process, or where a chemical (etchant) is supplied or sprayed on the surface of the wafer. However, it is not clear if this interpretation would be consistent with a case where the removal process is an immersion-type chemical removal process, where the wafer is completely immersed in the chemical (etchant), and therefore not exposed to air. Applicant is invited to clarify this issue.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1-3 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 3,923,567 to Lawrence (from Applicant's IDS) in view of U.S. Patent 6,100,167 to Falster et al.**

In regards to Claim 1, Lawrence teaches a method of reclaiming silicon wafers that includes, in the following order, a film removal process (Column 5, Lines 52-65), a heating/removal process (Column 6, Lines 6-33 and Line 49 - Column 7, Line 31), a polishing process (Column 7, Lines 32-38), and a cleaning process (Column 7, Lines 38-40), wherein the heating / removal process is between the film removal process and the polishing process and comprises heating the silicon wafer (Column 6, Lines 6-33) and for removing the surface part of the silicon wafer (Column 6, Line 49 - Column 7, Line 31). Lawrence teaches that the removal step of the heating/removal process can be a mechanical removal (*grinding*) process (Column 7, Lines 25-31), which would be

carried out "in air" (i.e. in the ambient environment, rather than in an environment with a controlled gaseous composition), as broadly recited in the claim.

In regards to Claim 1, Lawrence does not expressly teach that the heating of the silicon wafer is performed at 150-300°C for 20 minutes - 5 hours. In regards to Claim 15, Lawrence does not expressly teach that the heating step of the heating/removal process is carried out in air. In regards to Claim 16, Lawrence does not expressly teach that the maximum temperature is 300°C.

Falster et al. teaches in a method of reclaiming silicon wafers (Column 1, Lines 11-13) a heating / removal process comprising heating the silicon wafer at 100-300°C for a preferred time of several to several tens of minutes up to about 1.5 hours. (Column 3, Line 61 - Column 4, Line 10) These ranges in temperature and time meet the limitations recited in Claim 1. Falster et al. further teaches that heating process can be carried out in air (Column 4, Lines 16-18), and that the maximum temperature can be 300°C (Column 4, Line 3).

(The Examiner also observes that Falster et al. (Column 3, Lines 51-60) further teaches that the time is a result-effective variable that affects the diffusion of copper to the surface of the silicon wafer, and is selected in accordance with the heating temperature.)

It would have been obvious to one of ordinary skill in the art to replace the heating step of the heating / removal process taught by Lawrence with the heating step taught by Falster et al. The motivation for making such a modification, as taught by Falster et al. (Column 2, Line 67 - Column 3, Line 50), would have been to diffuse

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copper to the surface of the silicon wafer without the undesirable copper precipitates that form when the heating is performed at higher temperatures. Moreover, Falster et al. expressly teaches that the heating step taught by Falster et al. is an improvement over prior art gettering methods, since the high diffusivity of copper in silicon makes it possible for copper to escape from the gettering sites and reach the device region of the wafer. (Column 1, Line 64 - Column 2, Line 3)

In regards to Claims 2 and 3, Lawrence teaches that the heating / removal process can include a mechanical removal process (Column 7, Lines 25-31) and a chemical removal process (Column 6, Line 49 - Column 7, Line 21).

In regards to Claims 14, 17, and 18, the heating step of the heating/removal process taught by the combination of Lawrence and Falster et al. is carried out so as to provide a P-type silicon wafer having the same specific resistance of a virgin (i.e. unused) P-type silicon wafer, as broadly recited in the claims. (Falster et al., Column 1, Line 11 - Column 2, Line 50; Column 3, Line 12 - Column 4, Line 18; Column 5, Lines 14-29) The heating step of the heating/removal process as taught by the *combination* of Lawrence and Falster et al. would inherently not form any oxygen donors, since the process is performed below 300°C and no dopant is introduced into the wafer. This rejection is based on the fact that the method taught by the *combination* of Lawrence and Falster et al. would inherently result in the reclaimed wafer having the recited properties. When a rejection is based on inherency, a rejection under 35 U.S.C. 102 or U.S.C. 103 is appropriate. (See *In re Fitzgerald* 205 USPQ 594 or MPEP 2112).

6. Claims 5-8, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence in view of Falster et al. as applied to claim 1 above, and further in view of U.S. Patent 5,932,022 to Linn et al.

The teachings of Lawrence and Falster et al. were discussed above.

In regards to Claims 5 and 6, the combination of Lawrence and Falster et al. does not expressly teach that an immersion process for chemically processing the silicon wafer should be performed in addition to the heating / removal process between the film removal process and the polishing process, or that the processing liquid can be any of the liquids recited in Claim 6.

Linn et al. teaches an immersion process for chemically processing a bare silicon wafer should be performed prior to a heating step 115 (Figure 1), wherein the processing liquid can be a mixed solution of hydrogen peroxide, ammonia, and water (SC-1 cleaning solution; Step 101; Column 3, Lines 13-20), or a mixed solution of hydrogen peroxide, hydrochloric acid, and water (SC-2 cleaning solution; Step 109; Column 3, Lines 55-65).

It would have been obvious to one of ordinary skill in the art to modify the combination of Lawrence and Falster et al. to include an immersion process for chemically processing the wafer just before the heating / removal step, with processing liquids taught by Linn et al. The motivation for making such a modification, as taught by Linn et al. (Column 4, Lines 43-49), would have been to perform the heating step on a wafer with a relatively metal-free, hydrophilic surface, such that the finally processed wafer has an increased minority carrier diffusion length.

In regards to Claims 7, 8, 10, and 11, Lawrence teaches that the heating / removal process can include a mechanical removal process (Column 7, Lines 25-31) and a chemical removal process (Column 6, Line 49 - Column 7, Line 21).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence in view of Falster et al. as applied to claim 3 above, and further in view of U.S. Patent 5,837,662 to Chai et al.

The teachings of Lawrence and Falster et al. were discussed above.

The combination of Lawrence and Falster et al. does not expressly teach that the chemical removal step can be performed using alkaline (i.e. basic) hydroxides and/or alkaline carbonates.

Chai et al. teaches that a chemical removal step can be performed using alkaline hydroxides and/or alkaline carbonates. (Column 4, Lines 4-12)

It would have been obvious to one of ordinary skill in the art to use alkaline hydroxides and/or alkaline carbonates in the chemical removal step taught by the combination of Lawrence and Falster et al. The motivation for making such a modification, as taught by Chai et al. (Column 4, Lines 24-34), would have been that the alkaline bath changes the surface potential of the silicon wafer, causing contaminants to be electrostatically repelled from the surface.

8. Claims 9, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawrence in view of Falster et al., and further in view of Linn et al. as applied to claims 8 and 11 above, and further in view of Chai et al.

The teachings of Lawrence, Falster et al., and Linn et al. were discussed above.

The combination of Lawrence, Falster et al., and Linn et al. does not expressly teach that the chemical removal step can be performed using alkaline hydroxides and/or alkaline carbonates, including any of the compounds recited in Claim 13.

Chai et al. teaches that a chemical removal step can be performed using alkaline hydroxides and/or alkaline carbonates, including sodium or potassium hydroxide or sodium or potassium carbonate. (Column 4, Lines 4-7)

It would have been obvious to one of ordinary skill in the art to use one of the alkaline hydroxides and/or alkaline carbonates in the chemical removal step taught by the combination of Lawrence, Falster et al., and Linn et al. The motivation for making such a modification, as taught by Chai et al. (Column 4, Lines 24-34), would have been that the alkaline bath changes the surface potential of the silicon wafer, causing contaminants to be electrostatically repelled from the surface.

Response to Arguments

9. Applicant's arguments filed 14 December 2006 have been fully considered but they are not persuasive.

In response to Applicant's arguments against the references individually, specifically that Lawrence alone does not teach the claimed method, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant's argument that because the heating step of the heating/removal process taught by Lawrence comprises gettering (i.e. diffusing phosphorus into the

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silicon wafer), which would cause an effect that is counter to the newly recited dependent claim limitations, namely a change in specific resistance, that the claimed subject matter cannot be rendered obvious over the teachings of Lawrence, is not persuasive. The Examiner maintains that this argument again attacks Lawrence individually where the rejection is based on the *combination* of Lawrence and Falster et al. That Lawrence teaches a *different* way for removing impurities from a wafer, even that Lawrence teaches what Lawrence believes to be the *best* way ("to maximize purifying effectiveness;" Column 4, Lines 21-22) does not mean that Lawrence teaches away from the claimed invention. The Examiner asserts that one of ordinary skill in the art, informed by Falster et al.'s teaching that a heating step comprising heating the silicon wafer at 100-300°C for a preferred time of several to several tens of minutes up to about 1.5 hours (Column 3, Line 61 - Column 4, Line 10) diffuses copper to the surface of the silicon wafer without the undesirable copper precipitates that form when the heating is performed at higher temperatures (Column 2, Line 67 - Column 3, Line 50), and informed by Falster et al.'s teaching that such a heating step is preferable over processes including gettering as taught by Falster et al.'s prior art, since the high diffusivity of copper in silicon makes it possible for copper to escape from the gettering sites and reach the device region of the wafer (Column 1, Line 64 - Column 2, Line 3), would have been motivated with a reasonable expectation of success to modify the method as taught by Lawrence to *replace* the heating step taught by Lawrence with the heating step Falster et al. As discussed in the rejection above, the heating step taught

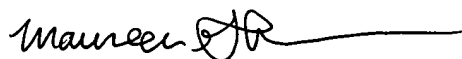
by Falster et al. meets the limitations recited in the claims in regards to the properties of the reclaimed silicon wafer.

Conclusion

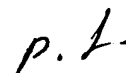
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maureen G. Arancibia whose telephone number is (571) 272-1219. The examiner can normally be reached on core hours of 10-5, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on (571) 272-1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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